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DE RUEHMU #0517/01 1202038
ZNR UUUUU ZZH
R 292038Z APR 08
FM AMEMBASSY MANAGUA
TO RUEHC/SECSTATE WASHDC 2514
INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS MANAGUA 000517

SIPDIS

STATE FOR WHA/CEN, EB/IFD/OIA, AND L/CID
STATE ALSO FOR WHA/EPSC
STATE PASS TO USTR
TREASURY FOR INL AND OWH

SIPDIS

E.O. 12958: N/A
TAGS: [EINV](#) [ECON](#) [USTR](#) [KIDE](#) [NU](#)
SUBJECT: NICARAGUA: AMCIT PROPERTY CLAIMS MONTHLY UPDATE: MARCH 2008

REFS: A) MANAGUA 301 B) MANAGUA 173

SUMMARY

1. In March 2008, the Government of Nicaragua (GON) resolved 5 claims, and 2 U.S. citizens withdrew a total of 4 claims from the Embassy Property Office database. With the inclusion of 5 claims resolved in March, the GON has resolved 12 claims during the 2007-2008 waiver year. The Property Office database now includes 657 registered property claims belonging to 309 Amcits. Most resolutions have involved compensation via government-issued indemnification bonds ("bonos de pago de indemnizacion" or BPIS). As of March 31, 2008, the GON has issued BPIS with a face value of \$324,059,784 to Embassy-registered claimants during this waiver year. Since taking office in January 2007, the Ortega administration has resolved a total of 17 claims.

EMBASSY-REGISTERED CLAIMS RESOLVED IN MARCH 2008

2. On March 6, 2008, Dr. Elizabeth Karim, legal representative for U.S. citizen Octavio Bustamante, provided a copy of the final settlement document (finiquito) to the Embassy Property Office attesting that on August 24, 2007, the GON compensated Bustamante with BPIS for three fishing vessels. Mr. Bustamante settled with the GON for BPIS with a face value of 330,200 cordobas, approximately \$17,257.50. We have updated our database to reflect this settlement.

| Claimant | Type of Claim | No. of Claims | Type of Resolution |
|---------------------|---------------|---------------|--------------------|
| Bustamante, Octavio | vessels | 3 | bonds |

3. On March 4, 2008, Dr. Ricardo Larga Espada, legal representative for U.S. citizen Perla Ordonez, informed the Property Office that she has control of 2 Embassy-registered claims and he requested that we remove the cases from our database.

| Claimant | Type of Claim | No. of Claims | Type of Resolution |
|----------------|---------------|---------------|--------------------|
| Ordonez, Perla | houses | 2 | prop. returned |

EMBASSY REGISTERED CLAIMS WITHDRAWN BY U.S. CITIZEN

4. On March 4, Dr. Ricardo Larga Espada, legal representative for

U.S. citizen Perla Ordonez, requested that the Property Office remove 1 Embassy-registered claims from our database because this case is a private dispute with her neighbor.

15. On March 6, 2008, Dr. Elizabeth Karim, the legal representative for U.S. citizen Octavio Bustamante, requested that the Property Office remove 3 Embassy-registered claims from our database because the properties were foreclosed by a bank on November 28, 1996, so there is no longer any claim pending against the GON for these properties.

| Claimant ----- | Type of Property ----- | No. of Claims ----- |
|---------------------|------------------------------|---------------------------|
| Ordenez, Perla | house 1 | |
| Bustamante, Octavio | houses 2 | |
| | land | 1 |

STATUS OF AMCIT PROPERTY AS OF 03/31/08

16. The following is a snapshot of current U.S. citizen property claims. The Embassy maintains separate databases for claims registered before and after the July 31, 2005, deadline in the Consolidated Appropriations Act.

| EMBASSY-REGISTERED CLAIMS ----- | NUMBER ----- |
|---------------------------------------|-----------------|
| Total Amcits with pending claims | 309 |
| Total Amcit claims pending resolution | 657 |

| EMBASSY-REGISTERED CLAIMS BY CALENDAR YEAR ----- | NUMBER ----- |
|---|-----------------|
| Claims resolved in calendar year 2008 | 7 |
| Claims resolved in calendar year 2007 | 10 |
| Claims resolved calendar year 2006 | 81 |
| Claims resolved calendar year 2005 | 126 |
| Claims resolved calendar year 2004 | 218 |
| Claims resolved calendar year 2003 | 243 |
| Claims resolved calendar year 2002 | 125 |
| Claims resolved calendar year 2001 | 175 |
| Claims resolved calendar year 2000 | 70 |

| EMBASSY-REGISTERED CLAIMS RESOLVED BY WAIVER YEAR NUMBER ----- | NUMBER ----- |
|---|-----------------|
| Registered claims resolved so far in 2007-08 (waiver year: August 1, 2007 - July 31, 2008) | 12 |
| Registered claims resolved 2006-07 waiver year | 34 |
| Registered claims resolved 2005-06 waiver year | 86 |
| Registered claims resolved 2004-05 waiver year | 187 |
| Registered claims resolved 2003-04 waiver year | 214 |
| Registered claims resolved 2002-03 waiver year | 183 |
| Registered claims resolved 2001-02 waiver year | 160 |
| Registered claims resolved 2000-01 waiver year | 142 |
| Registered claims resolved 1999-00 waiver year | 77 |

| | |
|---|--------|
| Registered claims resolved 1998-99 waiver year | 156 |
| Registered claims resolved 1997-98 waiver year | 204 |
| Registered claims resolved 1996-97 waiver year | 145 |
| EMBASSY-REGISTERED CLAIMS UNDER GON CONTROL | NUMBER |
| ----- | ----- |
| Total Amcit properties under GON control (subject to revision) | 54 |
| GON-held claims resolved 2007-08 waiver year | 0 |
| GON-held claims resolved 2006-07 waiver year | 0 |
| GON-held claims resolved 2005-06 waiver year | 3 |
| GON-held claims resolved 2004-05 waiver year | 16 |
| GON-held claims resolved 2003-04 waiver year | 12 |
| GON-held claims resolved 2002-03 waiver year | 11 |
| GON-held claims resolved 2001-02 waiver year | 26 |
| GON-held claims resolved 2000-01 waiver year | 2 |
| GON-held claims resolved 1999-00 waiver year | 2 |
| GON-held claims resolved 1998-99 waiver year | 5 |
| GON-held claims resolved 1997-98 waiver year | 29 |
| GON-held claims resolved (total) | 176 |
| CLAIMS DISMISSED BY GON DURING THE 2007-08 WAIVER YEAR | NUMBER |
| ----- | ----- |
| JANUARY 2008 | 34 |
| NOVEMBER 2007 | 18 |
| COURT DECISION AGAINST CLAIMANT (CLAIM WITHDRAWN BY AMCIT) | NUMBER |
| ----- | ----- |
| | 9 |
| CLAIMS WITHDRAWN BY AMCIT (PROPERTY UNDER AMCIT CONTROL) | NUMBER |
| ----- | ----- |
| | 1 |
| TOTAL CLAIMS RESOLVED BY LAND SWAPS | NUMBER |
| ----- | ----- |
| | 6 |
| TOTAL CLAIMS COMPENSATED IN BONDS (face value of bonds \$324.00 million) | NUMBER |
| ----- | ----- |
| | 1,862 |
| NON-REGISTERED RESOLUTIONS BY WAIVER YEAR | NUMBER |
| ----- | ----- |
| Non-registered resolutions 2007-08 waiver year | 0 |
| Non-registered resolutions 2006-07 waiver year | 12 |
| Non-registered resolutions 2005-06 waiver year | 30 |
| Non-registered resolutions 2004-05 waiver year | 0 |

| | |
|--|-----|
| Non-registered resolutions 2003-04 waiver year | 6 |
| Non-registered resolutions 2002-03 waiver year | 22 |
| Non-registered resolutions 2001-02 waiver year | 93 |
| Non-registered resolutions 2000-01 waiver year | 300 |
| Non-registered resolutions 1999-00 waiver year | 455 |
| Non-registered resolutions 1998-99 waiver year | 310 |
| Non-registered resolutions 1997-98 waiver year | 230 |
| Non-registered resolutions 1996-97 waiver year | 208 |

| | |
|--|--------|
| NON-WAIVER CLAIMS REGISTERED AFTER JULY 31, 2005 | NUMBER |
| ----- | ----- |
| Total Amcit claimants registered with Embassy | 12 |
| Total Amcit claims pending resolution | 18 |

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